

IN THE UNITED STATES DISTRICT COURT  
FOR THE NORTHERN DISTRICT OF ILLINOIS  
EASTERN DIVISION

STRUBE CELERY AND VEGETABLE CO.	:	
	:	
Plaintiff	:	
	:	
v.	:	Civil No. <u>08 C 1485</u>
	:	
THE EGG STORE, INC., a/t/a	:	<b>JUDGE MANNING</b>
KUEHNLE EGG & PRODUCE, et al	:	<b>MAGISTRATE JUDGE SCHENKIER</b>
	:	
Defendants	:	

**MOTION FOR PRELIMINARY INJUNCTION**

Upon the verified affidavit of Bob Fotopolous and the accompanying memorandum in support, plaintiff moves the Court to issue a preliminary injunction order under Rule 65(b) of the Federal Rules of Civil Procedure enforcing the statutory trust pursuant Section 5(c) of the Perishable Agriculture Commodities Act ("PACA"), 7 U.S.C. §499e(c), by restraining the transfer of any and all assets of The Egg Store, Inc., a/t/a Kuehnle Egg & Produce, except for payment to plaintiff, until there is full payment to plaintiff of \$98,640.50 pending the final outcome of this action.

McCARRON & DIESS

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